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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

TAMMIE L. MURRAY,

CV 09-1292-HU

Plaintiff,

OPINION AND ORDER

v.

DEPARTMENT OF CONSUMER and
BUSINESS SERVICES, JOHN MARK
MILLS, ALJ-WCB, JUDITH K.
ANDERSON, DOJ-AAG, STEPHEN A.
ROBERTS, SSCO-OR-OSHA,

Defendants.

REDDEN, Judge:

On August 12, 2010, Magistrate Judge Dennis Hubel filed his Findings and Recommendation (doc. 48) that the court grant Defendants' Motion to Dismiss (doc. 35) Plaintiff's First Amended Complaint for failure to state a claim under Federal Rule of Civil

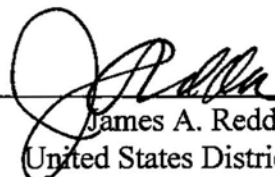
Procedure 12(b)(6). Magistrate Judge Hubel also recommended that the court deny Plaintiff's Motion for Leave to File Second Amended Complaint (doc. 45).

The matter is now before me. See 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(b). Neither party timely filed objections. This relieves me of my obligation to review Magistrate Judge Hubel's factual findings de novo. See 28 U.S.C. § 636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-75 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Hubel's Findings and Recommendation (doc. 48) as my own opinion. Defendant's Motion to Dismiss (doc. 35) is GRANTED, and this action is DISMISSED with prejudice. Plaintiff's Motion for Leave to File Second Amended Complaint (doc. 45) is DENIED.

IT IS SO ORDERED.

DATED this 10 day of September, 2010.


James A. Redden
United States District Judge